

Chapter No. 563
10/SS26/R1520CS
JN 156/JN

SENATE BILL NO. 3214

Originated in Senate

Henriette Hughes

Secretary

SENATE BILL NO. 3214

AN ACT ENTITLED THE "FEDERAL ABORTION-MANDATE OPT-OUT ACT"; TO PROHIBIT THE USE OF FEDERAL FUNDS TO PAY FOR ELECTIVE ABORTIONS COVERED BY PRIVATE INSURANCE IN THE STATE OF MISSISSIPPI THROUGH A HEALTH CARE EXCHANGE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. **Title.** This act may be known and cited as the "Federal Abortion-Mandate Opt-Out Act."

SECTION 2. **Legislative findings and purposes.** (1) The Legislature of the State of Mississippi finds that Section 1303 of the federal Patient Protection and Affordable Care Act, states are explicitly permitted to pass laws prohibiting qualified health plans offered through an exchange in their state from offering abortion coverage.

(2) It is the purpose of this act to affirmatively opt out of allowing qualified health plans that cover abortions to participate in exchanges within the State of Mississippi.


SECTION 3. **Opt-Out.** (1) No abortion coverage may be provided by a qualified health plan offered through an exchange created pursuant to the federal Patient Protection and Affordable Care Act within the State of Mississippi.

(2) This limitation shall not apply to an abortion performed (a) when the life of the mother is endangered by a physical disorder, physical illness or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or (b) when the pregnancy is the result of an alleged act of rape or incest. The physician is required to maintain sufficient documentation in the medical record that

supports the medical necessity for the abortion for one of the reasons outlined in this subsection (2).

SECTION 4. This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE
April 23, 2010



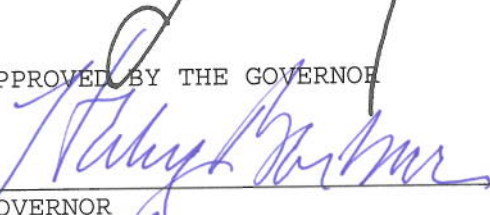
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 24, 2010



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

5/24/10 5:19 p